



Atty. Dkt. No. 084335-0129

HAF/JL  
FEB 27 2006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Hitoshi Kiyo et al.

Title: METHOD FOR SCREENING  
CANDIDATE COMPOUNDS  
FOR ANTITUMOR DRUG

Appl. No.: 09/763,175

Filing Date: 05/30/2001

Examiner: Susan Ungar

Art Unit: 1642

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated September 27, 2005, finally rejecting Claims 1, 6, 7, and 9.

[ ] Applicant claims small entity status.

[ X ] Applicants hereby petition for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[ X ] Notice of Appeal Fee

[ X ] To be paid as detailed below

[ ] Not required (Fee paid in prior appeal)

02/28/2006 SZEWDIE1 00000006 09763175

01 FC:1401	500.00 OP
02 FC:1252	450.00 OP

The required fees are calculated below:

[ X ]	Notice of Appeal Fee	\$500.00
[ X ]	Extension for response filed within the second month:	\$450.00
[ ]	Extension:	\$0.00
	FEE TOTAL:	\$950.00
[ ]	Small Entity Fees Apply (subtract ½ of above):	\$0.00
	TOTAL FEE:	\$950.00

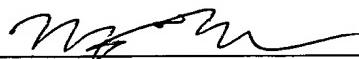
A credit card payment form in the amount of \$950.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date February 27, 2006

By 

FOLEY & LARDNER LLP  
Washington Harbour  
3000 K Street, N.W., Suite 500  
Washington, D.C. 20007-5143  
Telephone: (202) 672-5300  
Facsimile: (202) 672-5399

Matthew E. Mulkeen  
Attorney for Applicants  
Registration No. 44,250